

# Order

Michigan Supreme Court  
Lansing, Michigan

July 31, 2009

Marilyn Kelly,  
Chief Justice

136868

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

DENISE VON ARX, Next Friend of  
ALLISON VON ARX, Minor,  
Plaintiff-Appellee,

v

SC: 136868  
COA: 268516  
Wayne CC: 04-402910-NH

LIVONIA FAMILY PHYSICIANS, P.C.,  
THOMAS I. SELZNICK, D.O., TONI TRATE,  
D.O., J. ADAM KELLMAN, D.O., HAROLD M.  
FRIEDMAN, D.O., PAUL D. JACKSON, D.O.,  
STUART NATHAN, P.A., TIFFANY POTTS,  
P.A., BARBARA BERGESKI, P.A., and  
MARY JANE GREGORY, P.A.,  
Defendants-Appellants.

---

By order of October 27, 2008, the application for leave to appeal the June 3, 2008 judgment of the Court of Appeals was held in abeyance pending the decision in *Vanslebrouck v Halperin* (Docket No. 135893). On order of the Court, the order denying the application for leave to appeal in *Vanslebrouck* having been issued on April 24, 2009, 483 Mich 965 (2009), the application is again considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. (*dissenting*).

I would grant leave to appeal for the reasons set forth in Justice Corrigan's dissenting statement in *Vanslebrouck v Halperin*, 483 Mich 965 (2009).

CORRIGAN and YOUNG, JJ., join the statement of MARKMAN, J.



d0728

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 31, 2009

*Corbin R. Davis*

Clerk